

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

MARK D'WAYNE SUMRELL

PETITIONER

V.

NO. 4:08CV068-P-S

STATE OF MISSISSIPPI, et al.

RESPONDENTS

FINAL JUDGMENT

In accordance with the memorandum opinion issued this day,

1. the April 9, 2009, memorandum opinion and final judgment (docket entries 14 and 15) are WITHDRAWN IN PART;
2. the April 9, 2009, opinion and final judgment are WITHDRAWN to the extent that habeas relief was granted;
3. the court is barred from reviewing Petitioner's due process claim;
4. Petitioner has failed to overcome the procedural bar;
5. this matter is CLOSED.

IT IS SO ORDERED.

THIS the 8th day of May, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE